

☐ FAX

FAX

CCB
Wireline
Service
740

CONGRESSMAN WM. LACY CLAY

8525 PAGE AVENUE
ST. LOUIS, MO 63114
TELEPHONE (314) 890-0349
FAX (314) 427-6320

NUMBER OF PAGES INCLUDING THIS ONE: 24DATE: 3-22-05TO: FCCFAX NUMBER: 1-202-418-2806

FROM: SHEILA MILESZKO

IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL (314) 890-0349

SUBJECT:

THE PAGES ACCOMPANYING THIS FACSIMIL TRANSMISSION CONTAIN INFORMATION FROM THE OFFICE OF CONGRESSMAN WM. LACY CLAY WHICH IS CONFIDENTIAL AND PRIVILEGED. THE INFORMATION IS INTENDED FOR THE RECIPIENT ONLY. IF YOU RECEIVE THIS FACSIMILE IN ERROR, PLEASE NOTIFY US BY TELEPHONE IMMEDIATELY SO THAT WE MAY ARRANGE FOR THE RETREIVAL OF THE DOCUMENT AT NO COST TO YOU.

Wm. LACY CLAY
1st DISTRICT, MISSOURI

COMMITTEES:
FINANCIAL SERVICES
GOVERNMENT REFORM

Ranking Member,
SUBCOMMITTEE ON TECHNOLOGY,
INFORMATION POLICY,
INTERGOVERNMENTAL RELATIONS
AND THE CENSUS

Web Site: www.house.gov/clay/
E-Mail: www.house.gov/writercp/

Congress of the United States
House of Representatives
Washington, DC 20515-2501

131 Cannon House Office Building
Washington, DC 20515
(202) 225-2406
(202) 225-1725 Fax

625 North Euclid, Suite 200
St. Louis, MO 63108
(314) 367-1970
(314) 367-1341 Fax

8525 Page Boulevard
St. Louis, MO 63114
(314) 890-0349
(314) 427-6320 Fax

March 22, 2005

Ms. Diane Atkinson, Legislative Affairs
Federal Communications Commission
445 12th Street, SW, Room 8-C453
Washington, DC 20554

Dear Ms. Atkinson:

The attached communication is sent for your consideration. Please investigate the statements contained therein and forward me the necessary information for reply, returning the enclosed correspondence with your answer. We would greatly appreciate any assistance you can offer.

Sincerely,



Wm. Lacy Clay
Member of Congress

WLC/sam

CONGRESSMAN WM. LACY CLAY
FIRST CONGRESSIONAL DISTRICT OF MISSOURI

625 N. Euclid
St. Louis, MO 63108
Telephone: (314) 367-1970
FAX: (314) 367-1341

8525 Page
St. Louis, MO 63114
Telephone: (314) 890-0349
FAX: (314) 427-6320

Return
To

PRIVACY AUTHORIZATION FORM

DATE: MARCH 21, 2005

NAME: ALLSTATES TRANSWORLD VAN LINES, INC.

ADDRESS: P. O. BOX 11998 CITY ST. LOUIS, MO ZIP 63112

SOCIAL SECURITY NUMBER: ~~400-20-7391~~

TELEPHONE NUMBER: (314) 389-6200

SIGNATURE: Timothy Person, Sr.

I HEREBY AUTHORIZE THE FOLLOWING AGENCY:

to provide CONGRESSMAN WM. LACY CLAY with information regarding my case.

STATEMENT OF PROBLEM: Enclosed please find copies of correspondence to and from the Federal Communications Commission.

However, during a period of fourteen (14) years they ended up concluded that we fell thru the cracks of their system. It is my understanding that the F.C.C. has very few opportunities to adjudicate problems by minorities being victimized by companies such as Southwestern Bell Telephone.

Southwestern Bell Telephone turned our telephone service for non-tariff items which is against the utilities commissions (See Attached)

Timothy Person, Sr.

I'm asking for a congressional investigation into the manner in which our request were handled.

Return to: Sheila Mileszko
(Staff of Congressman Wm. Lacy Clay)



Allstates Transworld Van Lines

P.O. Box 11998
St. Louis, Missouri 63112

— : —
314-389-6200
314-389-0472 Fax

February 2, 2005

**RESPECTFULLY REFERRED
NOT ACKNOWLEDGED**

REC'D MAR 7 2005

**RE: REGULATORY MISCONDUCT ON BEHALF OF
SOUTHWESTERN BELL TELEPHONE COMPANY**

Dear Sir:

We would like to bring to your attention a regulatory problem in this country that denigrates minorities and the poor. The problem that we have reference to is telephone service being terminated for unregulated charges such as yellow pages advertising.

We (Allstates Transworld Van Lines, Inc.) have been trying to get the Missouri Public Service Commission and the Federal Communication Commission to come to grips with this problem. Any telephone company that operates in more than one (1) state is an interstate carrier. Thus, the Federal Communication Commission has oversight responsibilities.

Some of these State Commissions are guilty of depraved indifference when complaints are registered by minorities and the poor against; Major Corporations. **(Example)**, Missouri Public Service Commission, we have written no less than six (6) letters to them and, of this date we have not been given the courtesy of one (1) reply. We wonder what useful purpose does the Missouri Hot Line serves:

The FCC allowed Ms. Messenger lie in her letter to Mr. Phillip Hartsfield, stating, "That our telephones were never really off but, were paper work transactions only" **(see attached)**. Southwestern Bell admitted they turned off our phone service on six (6) different occasions in one (1) year for the directory advertisement charges. Since, it appeared that the agency whose job it was to provide oversight in this matter was unwilling to do so. We set out to get a consensus and some forty (40) states commissions and three (3) phone companies responded and some are attached.

We are (Allstates Transworld Van Lines) respectfully requesting that a congressional hearing be held to address these matters as they relates to our country's telephone service. We stand ready willing and able to answer any and all questions and to produce all documents relative to this matter.



Con't:

Page 2

**Regulatory Misconduct
Southwestern Bell Telephone**

In her letter to the FCC Ms. Messenger stated, "That it was not Southwestern Bell's practice to disconnect telephone service for nonpayment of directory advertising". If that was the company's general practice then we can only conclude that our service was interrupted because of our ethnicity.

We (Allstates Transworld Van Lines, Inc.) have taken it upon ourselves to do a country wide survey in order to get a consensus as to what the perceived regulations are as it pertains to what telephone companies restrictions are when it comes to regulated service and unregulated service.

Some telephone companies (Baby Bell) since American Telephone and Telegraph's divestiture have not separated the companies that offer regulated service and unregulated service into separated entities for billing purposes. Utilities companies such as; Gas and Electric are required to print on the face of the bill the minimum amount that must be paid in order to maintain your service. Why, is it not required for the telephone company?

In our conversations with some of the State Commissioners and some of the FCC people feel that a considerable amount of ambiguity exists in the interpretation of the regulations and disputes what the telephone companies tell their clientele is often self serving.

There have been several Court Decisions, recently that are a departure from the material we have gleaned from the enclosed documents.

In closing, we would like to respectfully submit a telephone company yellow page contract that enumerates the terms and condition under which non-payment or violation of this document will cause you. There is no languages that makes mention of non-payment of this contract will result in the termination of your phone service.



Cont:

Page 3

**Regulatory Misconduct
Southwestern Bell Telephone**

Please find also enclosed a copy of the Public Service Commission Tariff number 22 entitled suspension of service and correct us if we are wrong but there is no mention of non-payment of yellow page bills.

On these notes we rest our case.

Sincerely,

A handwritten signature in cursive script that reads "Timothy D. Person, Sr." The signature is written over the printed name and title.

Timothy D. Person, Sr
President

TDP: atb

File:



Allstates Transworld Van Lines

P.O. Box 11998
St. Louis, Missouri 63112

— : —
314-389-6200
314-389-0472 Fax

February 03, 2005

RE: Misconduct on Behalf of
Southwestern Bell Telephone

Dear Sir:

Allstates Transworld Van Lines of Saint. Louis, Missouri according to the letters and documents from forty (40) State Public Utilities that saw fit to answer our letters of inquiries concerning their policies as it relates to the abilities of telephone companies to interrupt phone service for non tariff items.

Non-tariff item are as follows,

1. 900 calls
2. Answer calls
3. Yellow Page Advertising

Based on our experience with the phone company we did our own investigation. The records show many telephone subscribers were victimized. This is based on information furnished by the Public Utilities (see attached).

Missouri is a backward state lacking the intellect and enlightenment of many states. However, the three (3) judges ruled that Allstates did not have a submissible case were not guided by the regulations but rather other considerations.

Missouri is famous for these kinds of decisions, reference the Dred Scott case. We would hope that a black man has some rights that a white man could or should respect.

We pray this company that wants to be allowed to operate nation-wide Southwestern Bell will right the wrong done to Allstates Transworld Van Lines, Inc. the first (1st) black company certificated to haul household goods nationwide.

We fervently pray for honest oversight of these billionaire companies.

Cordially,

Timothy D. Person, Sr
President



Allstates Transworld Van Lines, Inc.

P. O. BOX 11998
St. Louis, Missouri 63112

—:—
314-389-6200

Dear Mike Hennigan
Informal Complaints and Public
Inquiries Branch
IC-90-03178

I appreciate your Board's consideration of our request. However, it appears that we may have understated our case.

Our complaint is not limited to American Telephone and Telegraph, but also includes the Bell Operating Companies (known as Baby Bells).

The illegal policies that were practiced by AT&T are now being perpetuated by the Baby Bells, including Southwestern Bell Telephone, upon the public.

Allstates Transworld Van Lines, Inc., is not trying to get your Board or any State Regulatory Agency to intervene in its behalf, but rather, in behalf of the public, who may not be aware of AT&T's tariffs. We would like to respectfully request that your Board require the phone companies to:

1. Abide by the rules and regulations it relates to the interruption of phone service for non-payment of Yellow Page or directory advertising.
2. Notify small businesses that are in danger of having their service interrupted because of the tariff provisions precluding such, if all other charges are paid.
3. Notify companies whose services were interrupted and who made partial payments sufficient to maintain their services for the past seven years that the phone companies made a breach of the tariff provisions. (What we are attempting to do is get the Public Service or Utility Boards to require the local phone companies to abide by the tariff provisions and notify their subscribers that if all charges but directory advertising are paid timely, there would not be service interruptions.
4. Prevail upon the Public Service or Utility Boards to change this provision to allow them to legally interrupt phone service for non-payment of Yellow Page advertising, if they contend that this would be untenable.

AT&T and the Baby Bells provide service for more than 5 million businesses in the United States. Let us assume, for the sake of argument, that an estimated 10 per cent of these businesses were disconnected for non-payment of Yellow Page advertising. These businesses are victimized by the phone companies' failure to inform them of certain tariff provisions as related to the interruption of service. They are being hurt by the lack of communication and information from AT&T and the Baby Bells.

Also, AT&T's lines of communication with the Baby Bells do not appear to be open. If they were, there would not be any confusion or misinformation about the tariff on Yellow Page advertising.

When AT&T broke up in 1984, it divested its operating companies, which became known as Baby Bells. It was no longer a monopoly, but it certainly maintained monopolistic control over the Baby Bells, which linked telephone communication from one point to another, like the transportation of people, goods or services, from one place to another. Telephone communication now requires the services of a Baby Bell and consumers have no alternative to the Baby Bell for local telephone service. In short, the telephone companies still enjoy monopolistic power and there is very little that can be done about it unless a link is established with the Public Utility or Service Board, as well as the Federal Communications Commission.

A Public Utility or Service Commission can significantly influence what consumers pay and use for telephone services. It also derives control through its authority to grant licenses or certificates for telephone service. Through its power to deny certificates, it can limit the monopoly of companies that provide telephone service.

It is our belief that your Commission can and does set the policy for the operation of telephone services in your state and should use this power to warn AT&T and its Bell Operating Companies to stop interrupting telephone services for lack of payment of Yellow Page advertising, which is against its tariff provisions.

It is also our belief that your Commission can influence the communications policy of the Federal Communications Commission. To quote a telephone analyst, we feel that: "Under the current system of federal and state governance, individual Commissions are able to develop their own policies, as long as they are generally consistent with federal policy." The State Commission and the FCC, hence, can cooperate with each other in the development and implementation of a certain policy.

As mentioned before, we do not think AT&T is communicating with or informing the consumers properly about its relationship to the Bell Operating Companies. Its lines of communication are poor. Otherwise, there should not be any misinformation or misunderstanding about its tariffs around Yellow Page advertising.

Many of the Public Service or Utility Boards stated that the jurisdiction for Yellow Page advertising fall under the Bell Operating Companies and not under AT&T. A telephone analyst made the following statement: "The Court did require the modification allowing the BOCs to sell (but not manufacture) equipment, and to have the printed Yellow Page business." It appears, upon the basis of this statement, that the Commissioners, who responded to our letter, are correct in saying that the jurisdiction of Yellow Pages falls within the power of the Baby Bells.

We have followed the Commissioners' suggestion about contacting the local exchange and intrastate telephone services (including Southwestern Bell) under whose jurisdiction are the Yellow Pages.

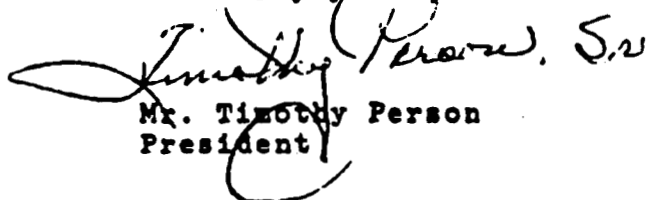
We have gotten a consensus from most of the Commissions around the country that we should be in touch with the Missouri Public Service Commission. They are investigating the situation for us.

Even the Federal Communications Commission is looking into the matter for us and we are awaiting a report from them regarding the situation. The FCC stated in a letter to us "that an inquiry into this matter is warranted because it appears that your service was disconnected due to partial payment of Yellow Page advertising." The FCC sent an order to Southwestern Bell or ATTCOM to report on the matter.

It appears that we are correct in stating that the discontinuance of our service is in direct violation of AT&T's tariff which states that "telephone service cannot be interrupted for non-payment of directory advertising."

We hope you will not just consider our case but also look at other business consumers who may have been victimized unknowingly by AT&T and the Baby Bells.

Cordially yours,

 Timothy Person, Sr.
Mr. Timothy Person
President

FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

June 23, 1998

Timothy Person
Allstates Transworld Van Lines, Inc.
5736 Martin Luther King Drive
St. Louis, MO 63112

Re: Request for the Commission's position on termination of
service for non-payment of Yellow Pages advertising.

Dear Mr. Person:

This letter is in reference to your March 9, 1998 letter to the Commission and will also memorialize what we discussed on your subsequent visit to my office concerning the Commission's advice to help you in appealing the Missouri court's denial of your claim for damages against Southwestern Bell for terminating your local exchange service for non-payment of Yellow Pages advertising charges. As we discussed, these are my personal views based on my research and experience in the Common Carrier Bureau and are not to be construed as the official position of the Commission.

The Commission has held that, although it has statutory authority to regulate disconnection of telephone service for non-payment of charges and to preempt state regulation of the terms and conditions under which disconnection will be allowed, it usually views termination of local exchange service as a matter within the province of the state public service commissions and would not normally act to resolve disputes of this nature. See, e.g., *Public Service Commission of Maryland*, 4 FCC Rcd 4000, 4006 (1990). The Commission generally defers to the states in allowing them to decide whether and under what conditions local exchange carriers will be able to disconnect service. See *Matter of Detariffing Billing and Collection Services*, 102 FCC 2d 1150 (1986).

Prior to the *Maryland* decision, *supra*, the Commission dismissed a complaint challenging termination of local exchange service for non-payment of interstate toll charges. In deferring the matter to the Arkansas Public Service Commission, the Commission held in *Williams v. Southwestern Bell Telephone Co.*, 2 FCC Rcd 7429 (1987), that billing and collection practices of local exchange carriers for termination of local service for non-payment of interstate charges were generally matters of state, not federal, concern and subject to regulation by local state utility commissions.

The Commission has, however, consistently taken the position that a carrier can terminate service only for non-payment of its

communications charges. See *Policies and Rules Concerning Interstate 900 Services*, 6 FCC Rcd 1857, 1859-60 (1991). There the Commission held that access to basic telecommunications services should not be jeopardized by non-payment of charges that are unrelated to transmission services.

Additionally, in resolving informally a series of complaints filed during the early 1970s concerning threatened disconnection of local exchange service for refusal to pay the federal excise tax on interstate toll charges, the staff involved in resolving these matters, of which I was a member, took the position that local exchange service could not be terminated for refusal to pay this tax. (The non-payment was an anti-war protest). The staff's position was that, although related to an interstate communications service, these taxes were not charges for interstate communications service, nor were they even the charges of the carrier. In the staff's view, the telephone company was merely the collection agent for the Internal Revenue Service and local telephone service could not be terminated because of failure or refusal to pay this tax. After informal discussions with the staff, the carriers agreed to discontinue threatening termination of local exchange service for non-payment of the excise tax. Since there was no formal resolution of this series of complaints, there is no published language which can be cited.

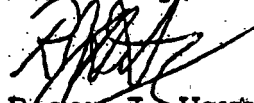
Although the Commission has not issued an opinion directly on point about Yellow Pages advertising, it has spoken on the issue of non-payment of information service charges billed by the telephone company. In the Order promulgating rules in compliance with the Telephone Disclosure and Dispute Resolution Act (TDDRA), the Commission stated that common carriers would not be permitted to disconnect or interrupt local exchange or long distance service for non-payment of the charges for information services such as 900 pay-per-call services. See *Policies and Rules Implementing the Telephone Disclosure and Dispute Resolution Act* 8 FCC Rcd 2331 at 2344 (1993). It should be noted that the TDDRA explicitly directs the Commission to promulgate rules to this effect. See 47 U.S.C. § 228(c)(4).

In one of the attachments to your March 9 letter, it appears that the underlying basis for the judge's decision denying your claim for damages against Southwestern Bell was that Southwestern Bell had an effective tariff provision permitting termination of local service for non-payment of Yellow Pages charges which he presumed made Southwestern Bell's action lawful. Under the tariff scheme established by the Communications Act of 1934, as amended, most rates and tariff provisions are initiated by the carrier. Generally, the fact that a carrier had an effective tariff provision would not be presumptive that this agency had approved such a provision. It would merely mean that the provision was allowed to become effective and became the binding legal tariff of the company. See, e.g., *Arizona Grocers Co. v. Atchison, T & S.F. Ry. Co.*, 284 U.S. 370, 384 (1932) (although a carrier-initiated tariff provision is legally binding on the customer, it is not lawful

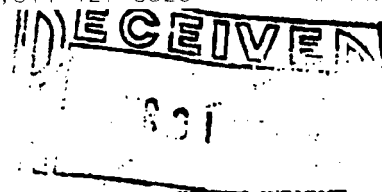
until it has been found reasonable by the appropriate regulatory agency upon complaint by the customer). Therefore, unless an agency has affirmatively ruled on the reasonableness of a tariff as a whole, or of a specific provision, it cannot be presumed lawfully approved by the agency. The general acceptability of this proposition is clear from the second attachment to your letter, i.e., the letter to you from Mr. Van Eschen of the Missouri Public Service Commission, wherein he indicated that it would appear to be unreasonable for the local phone company to disconnect service only for failure to pay Yellow Pages charges.

If I can be of any further help, do not hesitate to contact me.

Sincerely,



Roger J. Hertz
General Attorney
Enforcement Division
Common Carrier Bureau

Wright 3/21/97**CECIL WRIGHT**
Executive Secretary**SAM GOLDAMMER**
Director, Utility Operations**GORDON L. PERSINGER**
Director, Policy & Planning**KENNETH J. RADEMAN**
Director, Utility Services**DONNA M. PRENGER**
Director, Administration**DALE HARDY ROBERTS**
Chief Administrative Law Judge**STEVEN DOTTHEIM**
Acting General Counsel**Commissioners****KARL ZOBRIST**
Chair**KENNETH McCURE****DUNCAN E. KINCHELOE****HAROLD CRUMPTON****M. DIANNE DRAINER**
Vice Chair**Missouri Public Service Commission****POST OFFICE BOX 360**
JEFFERSON CITY, MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
573-526-5695 (TT)**March 28, 1997****Senator J.B. "Jet" Banks**
Suite 319, State Capitol
Jefferson City, Missouri 65101**Dear Senator Banks:**

I am responding to your letter requesting a written response to the question of whether a local telephone company can disconnect a business customer for failure to pay charges associated with a Yellow Pages account. In brief, the answer is dependent upon a number of factors such as the wording contained in the particular local telephone company's tariff, how Yellow Pages charges are billed and the contract signed between the Yellow Pages company and the Yellow Pages customer. Depending on factors such as these, a local telephone company may or may not be authorized to disconnect telephone service for nonpayment of Yellow Pages charges. I will note that as a result of a statute enacted in 1985, the Commission does not have jurisdiction over complaints concerning Yellow Pages listings and advertisements. (See Section 386.330.4 RSMo Supp. 1996.)

Commission rule 4 CSR 240-33.070 identifies conditions by which telephone companies can disconnect residential telephone service. Specifically, paragraph 2 of this rule states, "The failure to pay charges not subject to commission jurisdiction shall not constitute cause for a discontinuance unless specifically authorized in telephone utility tariffs approved by the commission." This rule only applies to residential customers. The Commission does not have a similar rule for business customers. Thus, local telephone company tariffs must be referenced in order to determine if the local telephone company can disconnect telephone service for nonpayment of certain charges such as for Yellow Pages service.

Most local telephone company tariffs are worded in a manner that provides the authority to disconnect telephone service for any charges placed on a customer's local telephone bill. This tariff wording is broad enough to allow companies to disconnect service for nonpayment of any undisputed charges regardless of whether the charges fall under the Commission's jurisdiction. Focusing on Yellow Pages charges, a local telephone company could disconnect telephone service if a customer fails to pay such charges should Yellow Pages charges appear on the customer's local telephone bill for the payment of the Yellow Pages charges in addition to the local telephone service charges. A local telephone company's tariff and how Yellow Pages charges are billed can

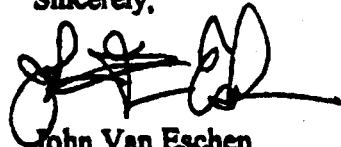
vary among companies, which makes it difficult for me to definitely respond to your inquiry without specifying the tariff of a particular local telephone company. These factors must be analyzed for each local telephone company in order to make the determination of whether the particular local telephone company has the authority to disconnect telephone service for nonpayment of Yellow Pages charges.

Another factor I would consider is the specific wording of a company's Yellow Pages contract. Business customers typically sign a Yellow Pages contract in order to receive Yellow Pages service. Yellow Pages contracts can vary among the companies providing Yellow Pages service. The contract may state that disconnection of telephone service will result if the customer fails to pay Yellow Pages charges.

* In consideration of these factors I will focus on Southwestern Bell Telephone Company (Southwestern Bell) since it is Missouri's largest local telephone company and no doubt serves the majority of your constituents. Southwestern Bell does have tariff language that allows the company to disconnect telephone service for failure to pay any undisputed charges on the bill. However, Southwestern Bell Yellow Pages separately bills Yellow Pages charges to its customers and has done so for over ten years. At least this separate billing has occurred since Southwestern Bell created a separate subsidiary in 1984 to conduct Yellow Pages operations. In addition, my review of the typical Southwestern Bell Yellow Pages contract does not reveal language that states the local telephone company may disconnect telephone service for failure to pay Yellow Pages charges. Therefore, in my opinion, Southwestern Bell may not presently disconnect telephone service for failure to pay Yellow Pages charges.

I trust this letter responds to your request. In summary, local telephone companies can differ in whether they may disconnect telephone service for nonpayment of Yellow Pages charges. These differences are dependent upon a local telephone company's tariff, how Yellow Pages charges are billed and the specific wording contained in the Yellow Pages contract. If you or any member of your staff have any questions, please let me know. I can be reached at the address listed above or by calling (573) 751-5525.

Sincerely,



John Van Eschen
Manager, Telecommunications Dept.

copies: Cecil Wright
Karen Massey
Bill Voight

@Bell Atlantic

Bell Atlantic - Delaware, Inc.
3900 Washington Street
Wilmington, Delaware 19802

October 15, 1997

Tim Persons
Po Box 11998
St. Louis, Mo 63112

Dear Mr. Person,

I am writing to confirm our conversation on 10-15-97. Bell Atlantic De. does not suspend Bell Atlantic Services due to delinquent Directory Advertising.

Very Truly Yours

Ms C Kirkpatrick
Ms C. Kirkpatrick

RECEIVED TIME MAR. 22. 3:07PM

PRINT TIME MAR. 22. 3:14PM

U S WEST Dex, Inc.
 5600 Wyoming Boulevard Northeast
 Albuquerque, NM 87109
 Phone 505 828-9322
 Fax 505 857-9448
 E-mail rflemin@uswest.com



Bob Fleming
 New Mexico Market Manager

Allstates Transworld Van Lines
 Timothy D. Person, Sr.
 P.O. Box 11998
 St. Louis, Missouri 63112

US WEST Dex
 Bob Fleming
 5600 Wyoming Blvd. NE
 Albuquerque, New Mexico 87109

Dear Timothy,

This letter is to confirm our discussion of September 22, 1997. As I stated US WEST Dex currently has no policy in place to interrupt telephone service for unpaid Yellow Page advertising charges. I confirmed this with our Customer Service department on September 22, 1997. In New Mexico US WEST Communications is used as a billing agent for US WEST Dex (Yellow Page Publisher) but the advertising charges are separate from the phone charges. I hope this information is what you were looking for. If I can be of further assistance please let me know.

Sincerely Yours

Bob

Bob Fleming

STATE OF CALIFORNIA

GEORGE DEUKMEJIAN, Governor

PUBLIC UTILITIES COMMISSION

55 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298

June 19, 1990

Mr. Timothy Person
President
Allstates Transworld Van Lines, Inc.
P.O. Box 11998
St. Louis, Missouri 63112

Dear Mr. Person:

President Wilk is on vacation, and he has asked me to reply to your letter in his absence. You are correct that local exchange companies in California are not authorized to disconnect telephone service as a result of non-payment of yellow pages advertising. As of this time, our office is not aware that this practice has occurred in California.

However, I thank you for bringing it to our office's attention. I am forwarding a copy of this letter to our consumer affairs branch and I have alerted our telecommunications advisory division. If complaints of this nature do reach us, we will investigate.

Sincerely,

Phebe Greenwood

Phebe Greenwood
Advisor to President Wilk

STATE OF ILLINOIS



ILLINOIS COMMERCE COMMISSION

October 2, 1997

Allstates Transworld Van Lines
P. O. Box 11998
St. Louis, MO 63112

Dear Mr. Person:

This is in response to your letter of inquiry regarding the ability of telephone companies to interrupt service for non payment of yellow pages or directory advertising. 83 Illinois Administrative Code Part 735.130(b)(2) provides that non payment of directory advertising is not sufficient cause for the disconnection of telephone service in the state of Illinois.

If you need further information, I can be reached at (217) 524-5070 between the hours of 8:30 a.m. and 4:30 p.m.

Sincerely,

Judith Marshall

Judith Marshall

Industry Analyst

Telecommunications Division

527 East Capitol Avenue, P.O. Box 19280, Springfield, Illinois 62794-9280

STATE OF MICHIGAN



PUBLIC SERVICE COMMISSION
6545 Mercantile Way
P.O. Box 30221
Lansing, Michigan 48909

COMMISSIONERS
William E. Long
Steven M. Fetter
Ronald E. Russell

JAMES J. BLANCHARD, Governor
DEPARTMENT OF COMMERCE
LARRY L. MEYER, Director

June 22, 1990

Timothy Person, Sr.
President
Allstates Transworld Van Lines, Inc.
P. O. Box 11998
St. Louis, Missouri 63112

Dear Mr. Person:

Your second letter concerning difficulties you have been having with Yellow Pages and American Telephone and Telegraph has been referred to this office. As you know from my letter to you dated March 20, 1990 and our subsequent telephone conversation, Michigan is a state where you should not encounter the problems that faced you in Missouri. I hope your nationwide effort will produce the results you seek.

Sincerely,

William J. Celio, Director
Communications Division

WJC/gdl

cc Chairman Long
Commissioner Fetter
Commissioner Russell



RECEIVED TIME MAR. 22. 3:15PM

PRINT TIME MAR. 22. 3:16PM

COMMONWEALTH OF VIRGINIA



EDWARD C. ADDISON
DIRECTOR

BOX 1197
RICHMOND, VA. 23209
TELEPHONE: (804) 786-3420

WILLIAM IRBY, P. E., MANAGER
RATES & COSTS

ALAN R. WICKHAM, MANAGER
OPERATIONS

STATE CORPORATION COMMISSION DIVISION OF COMMUNICATIONS

March 22, 1990

Mr. Tim Person, Jr.
Vice President of Operations
Allstates Transworld Van Lines, Inc.
P. O. Box 11998
St. Louis, Missouri 63112

Dear Mr. Person:

This will acknowledge receipt of your recent letter which we received on March 16, 1990.

This appears to be a matter which falls under the jurisdiction of the Federal Communications Commission. We are taking the liberty of forwarding your letter to the FCC with the request they look into this matter for you.

Very truly yours,

Jean B. Meeks
Communications Service
Coordinator

JBM:jc

cc: Federal Communications Commission w/enclosure



State of New Jersey

BOARD OF PUBLIC UTILITIES

TWO GATEWAY CENTER

NEWARK NJ 07102

CHRISTINE TODD WHITMAN
Governor

JAMES A. NAPPI
Secretary

Tel 201-648-3426

Fax 201-648-2409

September 19, 1997

Mr. Timothy D. Person, Sr.
Allstates Transworld Van Lines
P.O. Box 11998
St. Louis, Missouri 63112

Re: Yellow Pages/Directory Advertising

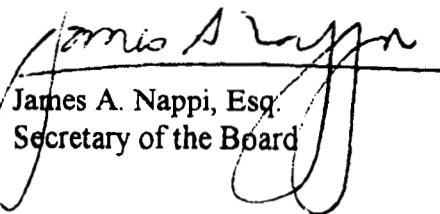
Dear Mr. Person:

In connection with the above referenced matter, this will acknowledge our receipt of your correspondence of September 12, 1997, to Herbert H. Tate, President of the New Jersey Board of Public Utilities (NJBPU), and advise that same has been referred to me for response.

It would be inappropriate for any representative of the NJBPU to attempt to interpret a tariff which has been filed in Illinois or any other state. Additionally, you should be aware that Yellow Pages/Directory Advertising is a non-regulated, competitive industry in New Jersey and there is no connection between it and a customer's telephone service.

I trust that this information is helpful.

Very truly yours,


James A. Nappi, Esq.
Secretary of the Board

JAN/jds

100-11-52

BEFORE THE
PUBLIC SERVICE COMMISSION
OF THE DISTRICT OF COLUMBIA

1991 SEP 20 PM 3:48

SEP 20 1991

IN THE MATTER OF THE COMMISSION'S
RULEMAKING PROCEEDING TO AMEND THE
CHESAPEAKE AND POTOMAC TELEPHONE
COMPANY'S GENERAL REGULATIONS TARIFF,
NO. 201

TT86-11

SECOND SUPPLEMENTAL COMMENTS
OF THE CHESAPEAKE AND POTOMAC TELEPHONE COMPANY

In these Second Supplemental Comments, The Chesapeake and Potomac Telephone Company ("C&P") supplements previously provided information and provides the results of a Special Study, all of which were unavailable when C&P filed its Initial Supplemental Comments.¹

The supplementary information shows that Selective Denial or Long Distance Message Restriction with selective denial ("LDMR(M)") are not viable alternatives to DNP. Selective Denial is not a viable option because none of C&P's switches can be configured to provide Selective Denial to all interexchange carriers providing service in the District of Columbia.² LDMR with selective denial, i.e., LDMR(M) is not a viable alternative because it would involve staggering costs.³

¹ In its Supplemental Comments, C&P advised that its responses to Commission questions 10, 11 and 23 would be supplemented when additional information became available. See Supplemental Comments at the Chesapeake and Potomac Telephone Company, ("Supplemental Comments"), TT86-11, Appendix pp. 5-6, 11, (August 12, 1991).

² See Appendix, answer to question 10S.

³ See Appendix A, Exhibit 1.

Page 1 of 1

**SPECIAL STUDY
SUSPENSION FOR NON-PAYMENT (SNP)
DISTRICT OF COLUMBIA
9/12/91**

METHODOLOGY

- 142 accounts which were suspended for non-payment between 7/17/91 and 8/23/91 were randomly selected.
- Each of the accounts was accessed in BOSS (Billing and Order Support System) to determine C&P charges and Interexchange Carrier (IC) charges.
- Any non-regulated service charges were deducted. Non-regulated charges include items such as Answer Call, Directory Advertising and 700/900.
- A determination was made if the account would still have been suspended if there were no IC charges on the bill.

RESULTS

	<u>Res.</u>	<u>BUS.</u>	<u>Total</u>
NUMBER OF ACCOUNTS IN STUDY	100	42	142
NUMBER OF ACCOUNTS WHICH WOULD HAVE BEEN SUSPENDED WITHOUT IC CHARGES	85	41	126
% OF ACCOUNTS WHICH WOULD HAVE BEEN BEEN SUSPENDED WITHOUT IC CHARGES	85%	98%	89%

RECEIVED TIME MAR. 22. 3:15PM

PRINT TIME MAR. 22. 3:16PM